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Approved for use through 10/31/2002. OMB 0851-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE required to respond to a collection of information unless it contains a valid OMB control number. Under the Paperwork Reduction A Substitute for form 1449A/PTO Complete if Known **Application Number** 09/835,816 INFORMATION DIST Filing Date 4/17/01 STATEMENT BY AP First Named Inventor GALLY, Joachim et al. **Group Art Unit** 1751 (use as many sheets as necessary) **Examiner Name** Ogden, Jr., Necholus of

Attorney Docket Number

**MERCK-2242** 

| U.S. PATENT DOCUMENTS |           |                   |  |   |   |  |  |
|-----------------------|-----------|-------------------|--|---|---|--|--|
| Examiner<br>Initlals  | Cite No.1 | U.S. Patent Docur |  | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document  MM-DD-YYYY |  |  |
| M                     | A1        | 4,487,856         |  | Anderson, et al.                                | 12-11-1984  |  |  |
|                       | A2        | 5,202,150         |  | Benson, et al.                                  | 04-13-1993  |  |  |
| J                     | A3        | 5,366,801         |  | Bryant, et al.                                  | 11-22-1994  |  |  |
| $-\nu$                | A4        | 4,816,173         |  | Achard, et al.                                  | 03-28-1989  |  |  |
|                       |           |                   |  |   |   |  |  |

|                       |                                       |                         |                     | FOREIG  | N PATENT DOCUMENTS                                 |  |  |                |
|-----------------------|---------------------------------------|-------------------------|---------------------|---|--|--|--|----------------|
|                       |                                       | Foreign Patent Document |                     |   |  | Pages, Columns, Lines,                                 |  |                |
| Examiner<br>Initials* | Cite No.1                             | Office <sup>3</sup>     | Number <sup>4</sup> | Kind Code <sup>5</sup><br>( <i>if known</i> ) | Name of Patentee or Applicant of<br>Cited Document | Date of Publication of<br>Cited Document<br>MM-DD-YYYY | Where Relevant Passages or Relevant Figures Appear | T <sup>e</sup> |
| Λį                    | ) <sub>B1</sub>                       | EP                      | 0 306 202           | A2  | Triangle Research & Development Corp.              | 03-08-1989   |  |                |
|                       | B2                                    | wo                      | 93/15625            | Α   | Bryant et al.                                      | 08-19-1993   |  |                |
| المراه                | В3                                    | wo                      | 98/05184            | Α   | Thermal Solutions, Inc.                            | 02-05-1998   |  |                |
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| Examiner              |                                       |                         |                     |   | Data   |  |  |                |

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| Application Number     | 09/835,816            |  |  |  |
| Filing Date            | 4/17/01               |  |  |  |
| First Named Inventor   | GALLY, Joachim et al. |  |  |  |
| Group Art Unit         | 1751                  |  |  |  |
| Examiner Name          | OGDEN Jr., Necholus   | ************************************** |  |  |
| Attorney Docket Number | MERCK-2242            |  |  |  |

| NON PATENT LITERATURE DOCUMENTS |           |  |    |  |  |  |
|---------------------------------|-----------|--|----|--|--|--|
| Examiner Initials *             | Cite No.¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.                        | Υ² |  |  |  |
| W                               | C1        | G.F. Needham, R.D. Willett and H.F. Franzen: "Phase transitions in crystalline models of bilayers. 1. Differential Scanning Caloimetric and X-ray Studies of (C12H25NH3)MC14 and (C14H29NH3)MC14 salts (M = Mn2+, Cd2+, Cu2+)  Bd. 88, 1984, Seiten 674-680, XP002170440 J. PHYS. CHEM |    |  |  |  |
| þ                               | C2        | Michiel, J.M. Van Oort and Mary Anne White, "Polymorphism in Dialkylammonium Chlorides. An Adiabatic Calorimetry Study"  Bd. 92, 1988, Sieten 168-176, XP002170441, Ber. Bunsenges. Phys. Chem.  |    |  |  |  |
| p                               | СЗ        | International Search Report for EP 01 10 9278 dated 06-25-2001   |    |  |  |  |
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| Examiner<br>Signature | Date<br>Considered | 11-18-06 |
|-----------------------|--------------------|----------|

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